

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

PETER POE, et al.,

Plaintiffs,

v.

GENTNER DRUMMOND, et al.,

Defendants.

Case No. 23-CV-00177-JFH-SH

MOTION FOR STATUS CONFERENCE

In light of Plaintiffs' pending Motion for Preliminary Injunction and the upcoming hearing on the motion scheduled for July 25, 2023, Plaintiffs respectfully request that the Court schedule a status conference in this matter to discuss the scope of the hearing. In support of this motion, Plaintiffs state:

1. On May 2, 2023, Plaintiffs filed a Motion for Preliminary Injunction and Brief in Support, including 11 client declarations and 4 expert declarations (ECF Nos. 5, 6).
2. On May 19, 2023, the Court scheduled a hearing on the motion for July 25, 2023 (ECF No. 42).
3. On June 16, 2023, Defendants 15-53 filed their Response to Plaintiffs' Motion for Preliminary Injunction, including 7 fact and expert declarations (ECF No. 86).
4. On June 20, 2023, Plaintiffs asked Defendants for their position on whether they desired an evidentiary hearing on Plaintiffs' Motion for Preliminary Injunction or preferred proceeding with oral argument only. Plaintiffs stated that they did not anticipate requesting an evidentiary hearing.

5. On June 29, 2023, Defendants informed Plaintiffs that they were not able to take a position on the hearing before Plaintiffs filed their Reply in Support of the Motion for Preliminary Injunction on July 10, 2023.
6. On July 11, 2023, following the filing of Plaintiffs' Reply in Support of the Motion for Preliminary Injunction, Plaintiffs again requested Defendants' position on the July 25th hearing. Plaintiffs reiterated that their position remained that an evidentiary hearing was not necessary. Plaintiffs also noted their intention to file this motion should the Parties fail to come to an agreement on the hearing. Defendants responded the same day, stating that they do not object to this motion and declined to take a position on the hearing.
7. Given the extended briefing and large number of declarations filed in relation to the motion, Plaintiffs' position remains that an evidentiary hearing is not needed, absent a request from the Court for testimony.

Plaintiffs respectfully request a status conference to address whether the Court would like to proceed with the July 25, 2023 hearing and hear oral argument only or whether the Court would like to hear testimony from witnesses.

Respectfully submitted,

/s/ Megan Lambert

Megan Lambert

AMERICAN CIVIL LIBERTIES UNION

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2023, I electronically filed the foregoing Motion for Status Conference with the Clerk of Court via the Court's CM/ECF system, which effects service upon all counsel of record.

Respectfully submitted,

/s/ Megan Lambert

Megan Lambert

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